

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ERIC SCHLEYER ET AL.,

Plaintiffs,

v.

STARBUCKS CORPORATION,

Defendant(s).

22-CV-10932 (DEH)

NOTICE OF REASSIGNMENT

DALE E. HO, United States District Judge:

This case has been reassigned to the undersigned. All counsel must familiarize themselves with the Court's Individual Practices, which are available at <https://www.nysd.uscourts.gov/hon-dale-e-ho>. Unless and until the Court orders otherwise, all prior orders, dates, and deadlines shall remain in effect notwithstanding the case's reassignment.

It is hereby ORDERED that counsel for all parties appear for a conference with the Court on **October 24, 2023, at 3:00 pm** on Microsoft Teams Video Conference with the following meeting ID: 219 688 674 497 and passcode: hvbYLy.¹ Absent leave of Court obtained by letter-motion filed before the conference, the conference must be attended by the attorney who will serve as principal trial counsel.

By **October 18, 2023**, the parties are hereby ORDERED to file on ECF a joint letter updating the Court on the status of the case. The joint letter shall not exceed five (5) pages, and shall provide the following information, to the extent it is relevant, in separate paragraphs:

¹ https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZTcxMmJjZmUtNmY0Ni00MmQ4LWlzZDgtODE4ZjNjMTBjMzIy%40thread.v2/0?context=%7b%22Tid%22%3a%221d66f037-8266-4d1c-919c-67c6543d3542%22%2c%22Oid%22%3a%22748094c7-86ce-4a34-9a85-a7e22a4ed325%22%7d.

1. Names of counsel and current contact information, if different from the information currently reflected on the docket;
2. A brief statement of the nature of the case and/or the principal defenses thereto;
3. A brief explanation of why jurisdiction and venue lie in this Court. The letter must explain the basis for the parties' belief that diversity of citizenship exists pursuant to Title 28, United States Code, Section 1332, including both the place of incorporation and the principal place of business of the Defendant;
4. A statement of all existing deadlines, due dates, and/or cut-off dates;
5. A statement of any previously-scheduled conference dates with the Court that have not yet occurred and the matters that were to be discussed;
6. A statement as to whether the dates in the Proposed Civil Case Management Plan and Scheduling Order (Doc. No. 36) remain acceptable to the parties. If not, the parties may file an updated proposed Civil Case Management Plan and Scheduling Order attached as an exhibit to the required joint letter. The parties may use this Court's form Proposed Civil Case Management Plan and Scheduling Order, which is available at: <https://nysd.uscourts.gov/hon-dale-e-ho>;
7. A brief description of any outstanding motions, including the date of the motion and the nature of the relief sought;
8. A statement and description of any pending appeals;
9. A brief description of the status of prior settlement discussions, without disclosing exact offers and demands;
10. A statement of whether the parties have discussed the use of alternate dispute resolution mechanisms and indicating whether the parties believe that (a) a settlement conference before a Magistrate Judge; (b) participation in the

District's Mediation Program; and/or (c) retention of a privately retained mediator would be appropriate and, if so, when in the case (e.g., within the next 60 days, after the deposition of plaintiff is completed, after the close of fact discovery, etc.) the use of such a mechanism would be appropriate;

11. An estimate of the length of trial; and
12. Any other information that the parties believe may assist the Court in advancing the case to settlement or trial, including, but not limited to, a description of any dispositive or novel issue raised by the case.

Requests for extensions or adjournment may be made only by letter-motion filed on ECF and must be received at least two business days before the deadline or scheduled appearance, absent compelling circumstances. The written submission must state (1) the original date(s) set for the appearance or deadline(s) and the new date(s) requested; (2) the reason(s) for the request; (3) the number of previous requests for adjournment or extension; (4) whether these previous requests were granted or denied; and (5) whether opposing counsel consents, and, if not, the reasons given by opposing counsel for refusing to consent.

SO ORDERED.

Dated: October 11, 2023
New York, New York



DALE E. HO
United States District Judge